

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

April 9, 2008

Minutes of the regular City Council meeting held Monday, April 7, 2008 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present; Mayor Katz presided.

Presentation - Daniel Wathen, Chair of the Lithgow Library Study Committee

Public comments were held on items listed on the agenda

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

131 WHEREAS, commercial blasting and use of explosives for purposes of quarrying mineral extraction and the production of construction materials have been occurring frequently in the City of Augusta, and whereas numerous reports of property damage resulting from such blasting have been communicated to the City, and

WHEREAS, current City of Augusta Ordinances are inadequate to effectively regulate and prevent serious public harm and property damage which may occur as a result of blasting in the City, and

WHEREAS, City Staff is aware of planned blasting in the vicinity of residential homes in the City, and

WHEREAS, the City Council has appointed a Committee to draft a new Ordinance regulating blasting, which has not completed its work, and

WHEREAS, the City Council needs additional time to complete the process of enacting a new Ordinance regulating blasting.

NOW THEREFORE, The Council hereby ORDERS that a moratorium be enacted effective as of the date of passage by Council which prohibits all commercial blasting and use of explosives for the purpose of mineral extraction, quarrying or the production of construction materials within 2000 feet of a residence.

This moratorium will expire in one hundred eighty (180) days from the date of passage or upon the effective date of

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

131 Continued
enactment of a new Ordinance regulating blasting, whichever occurs first.

(NO MOTION TO REMOVE FROM TABLE)

039 WHEREAS, the 2007 Augusta Comprehensive Plan speaks generally to allowing appropriately designed commercial development on parcels adjacent to Western Avenue.

WHEREAS, the Council finds that the contract rezoning will permit the developer to present the project to the Planning Board for full review under the Major Development criteria of the Land Use Ordinance, including neighborhood compatibility;

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta that the following contract rezoning be approved:

A portion of the lot known as Assessor's Map 84, Lot 2, as shown on the attached map entitled "Proposed Rezoning 11-13-2007" shall be Contract Zoned in accordance with Section 1.6.1(A)(iv)(b) of the Augusta Land Use Ordinance. The new contract zone shall be the Regional Business district (CC) with the following restriction: 1) Use of the lot shall be for a Hotel and Accessory Uses for the Hotel only.

(NO MOTION TO REMOVE FROM TABLE)

NEW BUSINESS

HAS BEEN READ AND PASSED

048 ORDERED, That minutes of the City Council meeting held March 17, 2008 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

049 ORDERED, That the City Council accept a donation for the Memorial Park revitalization project in the amount of \$6,000.00 from the Kennebec Savings Bank.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes
Nays: 0

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED (Con't)

050 ORDERED, That the City Council accept from MaineGeneral Hospital a donation for the Farmers' Market at Mill Park in an amount totaling \$5,000.00.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

051 ORDERED, That the City Council accept donations for the Viles Memorial at Mill Park in the amount of \$270.00.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

052 ORDERED, That Roll of Accounts for the month of March 2008 in the amount of \$4,271,813.84 be approved.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

053 ORDERED, That David M. Rollins be appointed to the Capitol Planning Commission; said term to expire April 7, 2009.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

054 ORDERED, That the City Council authorize the City Manager to submit a Firefighter's Assistance Grant application in the amount of \$619,250.

BE IT FURTHER ORDERED, That the City shall provide the required 5% match from the Fire Department matching grant fund.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

055 ORDERED, That the City Council approve Smokey's Greater Shows carnival, scheduled for the week of June 15, 2008 - June 21, 2008, the necessary variances for such show to be held at the Mill Park. Smokey's will provide proof of General Liability Insurance and financial responsibility for any property damages that may occur for an amount not less than \$30,000.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

056 ORDERED, That the City Manager is authorized to convey an easement to the State of Maine, Department of Transportation, for a strip of land running along the easterly side of Stone Street for a distance of approximately 290 feet.

Yeas: 8; Byron, Doore, Paradis, O'Brien,
Rollins, Coffin, Munson, Stokes

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk